

BOARD OF WORKS AND PUBLIC SAFETY

April 27, 2006

The meeting of the Brazil City Board of Public Works and Safety was held in the Council Chambers of Brazil City Hall on April 27, 2006. Mayor Tom Arthur called the meeting to order at 9:02 a.m..

Board Members Present: William Lovett, John Nelson, Mayor Tom Arthur, and City Attorney Joe Trout.

Minutes:

John Nelson made a motion to approve the minutes of the last meeting, seconded by member Bill Lovett. Motion carried 3-0.

OLD BUSINESS

1. None

NEW BUSINESS

1. Approval, Auction Date for City Surplus Auction. A motion to approve was made by Tom Arthur, seconded by John Nelson and passed 3-0.
2. Approval, Surplus Material from Police Department and Fire Department. A motion to approve was made by John Nelson, seconded by Bill Lovett and passed 3-0.
3. Approval, Contract for Professional Services for Operator of Record (City of Brazil Wastewater Treatment Plant). A motion to approve was made by Bill Lovett, seconded by John Nelson and passed 3-0.
4. Approval, Sewer System Connection outside City Limits; Jerad Bowmn; 8424 N. State Road 59; Brazil. A motion to approve was made by Bill Lovett, seconded by John Nelson and passed 3-0.
5. Approval, Modified Agreement for Services, Crowe Chizek and Company. A motion to approve was made by John Nelson, seconded by Bill Lovett and passed 3-0.
6. Approval, ESG Funding for Improvements at the WWTP. A motion to table was made by John Nelson, seconded by Bill Lovett and passed 3-0.
7. Unsafe Building Hearing, 204 S. John Street. A motion to uphold order with structure being removed was made by Tom Arthur, seconded by John Nelson and passed 3-0.
8. Unsafe Building Hearing, 1310 Pinecrest Drive. A motion to rescind due to insufficient dates was made by John Nelson, seconded by Bill Lovett and passed 3-0.
9. Unsafe Building Hearing, 312 N. Sherman Street. A motion to approve order with building being sealed was made by Tom Arthur, seconded by Bill Lovett and passed 3-0.
10. Unsafe Building Hearing, 437 S. Leavitt Street. A motion to withdraw order was made by Tom Arthur, seconded by Bill Lovett and passed 3-0.
11. Adjustments to water and sewer bills. A motion to approve was made by Bill Lovett, seconded by John Nelson and passed 3-0.
12. 439 S. Leavitt A motion to modify unsafe building order was made by John Nelson, seconded by Bill Lovett and passed 3-0.

CLAIMS

1. Bill Lovett made a motion to pay Clerk's Office claims, seconded by member John Nelson. Motion carried 3-0.
2. John Nelson made a motion to pay Utilities' Office claims, seconded by member Bill Lovett. Motion carried 3-0.

FUTURE AGENDA ITEMS

None

ADJOURNMENT

A motion to adjourn was made by member John Nelson, seconded by Bill Lovett. Motion carried 3-0. Meeting of the Board of Works adjourned at 12:10 P.M.


Tracy Webster, Clerk-Treasurer

**CONTRACT FOR PROFESSIONAL SERVICES FOR OPERATOR OF RECORD
(CITY OF BRAZIL WASTEWATER TREATMENT PLANT)**

THIS AGREEMENT, made and entered into by and between The City of Brazil, Indiana (hereinafter referred to as the "City") and William M. White, Operator of Record, Certification # 9045 Class III (hereinafter referred to as "Mr. White") is hereby set to the terms and conditions as follows:

ARTICLE ONE

That the City hereby employs Mr. White for purposes and under the conditions designated as set forth herein and said Mr. White agrees to perform such work in a timely manner.

ARTICLE TWO

This Contract for the term of Mr. White's employment shall be for a period of one (1) year. Unless otherwise renegotiated or terminated as per the provisions below, this Employment Agreement shall automatically renew at the expiration of the original term. Both the City and Mr. White agree that this Contract can be re-negotiated at any time to change the terms and term of employment. Any such modifications or re-negotiations shall be required to be placed in writing and receive the appropriate approval. Further, both the City and Mr. White agree that this Contract can be terminated by either party with a thirty (30) day written notice with or without cause. An exception to the thirty (30) day notice of termination of Contract rule would be any protection afforded Mr. White in regard to State, Federal or Municipal laws pertaining to unexpected illness or injury.

ARTICLE THREE

For his professional services rendered, Mr. White shall be compensated by a gross income payment of One Thousand Two Hundred and 00/100 (\$1,200.00) Dollars per month. In return for this compensation, Mr. White will review and provide the necessary compliance on behalf of the City of Brazil pertaining to MRO forms each month. In addition, if needed, Mr. White will make weekly visits to the treatment plant site to insure proper operation and compliance in accordance with the NPDES permit as required. Mr. White would respond to emergencies for the City of Brazil as needed, and perform expected duties of the Operator of Record for the City of Brazil Wastewater Treatment Plant. Said visits to the treatment plant site are to insure proper operation and compliance of said facility. Mr. White's response to emergencies for the City of Brazil pertaining to the Wastewater Treatment Plant and its related appurtenances shall not conflict with Mr. White's primary job duties with his primary employer. In the event of a conflict, the primary employer of Mr. White, shall have priority. However, in regard to the above items, Mr. White shall respond to the needs of the City of Brazil when the conflict no longer exists. Mr. White shall also make himself available by phone for questions from the City of Brazil concerning issues regarding the City of Brazil Wastewater Treatment Plant or to assist in resolving urgencies or out of the ordinary situations. Mr. White can be contacted at the phone numbers and addresses listed below.

ARTICLE FOUR

All correspondence or questions by Mr. White to the City of Brazil can be made directly to the Wastewater Treatment Plant or to City Hall c/o Mayor Thomas Arthur at (812)-443-2221, 203 East National Avenue, Brazil, IN 47834, FAX (812)-446-0337. Contacts to Mr. White can be made at TX (765)-569-3925 (work) between the hours of 11:45 A.M. and 12:30 P.M. or at home (765)-498-3559 after 4:00 P.M. All written correspondences to Mr. White shall be directed to the following address: 5755 NORTH ANNAPOLIS ROAD BLOOMINGDALE IN. 47832

ARTICLE FIVE

It is understood and agreed that Mr. White shall commence work promptly upon execution and approval of this Agreement.

In accordance with the terms set forth, this Agreement is made by the parties this 27 day of April, 2006.

William M. White
William M. White

City of Brazil, by and through its
Board of Public Works and Safety

Thomas Arthur
Mayor, Thomas Arthur

John Nelson
Member, John Nelson

William Lovett
Member, William Lovett